

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED

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IN RE: HOLOCAUST VICTIM ASSETS
LITIGATION

U.S. DISTRICT COURT, E.D.N.Y.

Case No. CV 96-4849 (ERK)(MDG)

(Consolidated with CV 96-5161

and CV 97-461)

★ JUL 20 2005 ★

BROOKLYN OFFICE

This Document Relates to: All Cases

MEMORANDUM & ORDER

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**MEMORANDUM & ORDER APPROVING SET 78: 23 AWARDS AND 24 AWARD
DENIALS CERTIFIED BY THE CLAIMS RESOLUTION TRIBUNAL PURSUANT TO
ARTICLE 31(2) OF THE RULES GOVERNING THE CLAIMS RESOLUTION
PROCESS AND AUTHORIZING PAYMENT FROM THE SETTLEMENT FUND**

KORMAN, C.J.:

As provided under the Settlement Agreement, and in accordance with the procedures established in the December 8, 2000 Memorandum & Order and in the Distribution Plan, Special Master Helen B. Junz, appointed by the Court to supervise the Claims Resolution Process with Special Master Michael Bradfield, is hereby requesting the Court's approval, pursuant to Article 31(2) of the Rules, of 23 Awards listed in Annex A and of 24 Award Denials listed in Annex B to this Order, which have been certified by the Claims Resolution Tribunal (the "CRT") and the resources to pay these Awards through funds to be deposited in the Swiss Banks Settlement-Dormant Accounts-Payment Account from the Settlement Fund. The total amount of these 23 Awards is US\$ 1,177,906.98 (SF 1,519,500.00 converted at a rate of 1.29 Swiss Francs per U.S. Dollar).

If the Court approves the seventy-eighth set, a total of 3,065 accounts, with a current value of US\$ 261,230,943.17, will have been awarded thus far for CRT I and CRT II combined. For CRT II alone, including the Awards submitted with this letter, a total of 1,769 Awards for 2,858 accounts totaling US\$ 249,530,943.17 will have been made to Victims or Targets of Nazi Persecution making up the Deposited Assets Class, with the average Award amounting to US\$

128,772.98.¹ Furthermore, a total of 414 Certified Denials will have been approved. In 366 of these 414 cases, the CRT concluded that the Claimant was not able to identify his or her relative as the Account Owner, in 43 cases the CRT concluded that the Account Owner closed the account and received the proceeds him/her self, and in 5 cases the CRT determined that the Claimant was not entitled to the Account Owner's account. For CRT I, which took place from 1997 through 2000, 207 accounts, with a value of US\$ 11.7 million, were awarded as accounts belonging to Victims of Nazi Persecution.

As set forth in the Awards and as required by Article 31(3) of the Rules, the Certified Awards shall be paid in full by the Special Masters after approval of such Awards by the Court.

Therefore, it is hereby

ORDERED that the attached 23 Awards are hereby approved for payment pursuant to Article 31(2) of the Rules; and

ORDERED that for the payment of these 23 Awards and 24 Award Denials certified by the CRT and hereby approved by the Court, the Signatories of the Settlement Fund are hereby directed to transfer immediately US\$ 1,177,906.98 from the Settlement Fund to the Swiss Banks Settlement-Dormant Accounts-Payment Account.

It is further ordered that the Special Masters shall provide the Court with the name and address of every class member receiving an Award, which information shall be filed with the Court under seal.

I will issue additional orders approving Awards certified by the CRT and transferring further sums from the Settlement Fund as the CRT certifies them to this Court.

Dated: Brooklyn, New York
July 15, 2005

SO ORDERED

s/Edward R. Korman
Edward R. Korman
United States District Judge

¹ Because the size of the Batch 75 award made it an outlier that would have skewed the results, it was not included in the calculation of the average values.

CLAIMS RESOLUTION TRIBUNAL

[Batch LXXVIII] -Annex A - UNREDACTED
CONFIDENTIAL

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of July 11, 2005 the following Awards for approval by the Court and payment by the Special Masters:

Account Owner Last Name and Claim Number	Award Amount (SFr.)
1. Barta 217104/HS; 500777/HS*	26,750.00
2. Blum 211696/SJ, 710107/SJ*	49,375.00
3. Engel 203554/AX; 708601/AX*	10,375.00
4. Ginzburg 203879/KG & 214352/KG*	49,375.00
5. Grünstein 004939/ES; 220492/ES*	10,375.00
6. Guttmann 735755/AE	53,500.00
7. Hertz 501519/AV/AC	325,000.00
8. Hess 709381/SJ	10,375.00
9. Heymann 221674/MW/AC	10,375.00
10. Kantor 500979/UM	26,750.00
11. Kohn 205601/KG	189,250.00
12. Landowski 501581/AC	27,500.00
13. Lehmann 205283/AC	49,375.00
14. Lenz 208172/LV	325,000.00
15. Moser 753497/CC/IS	49,375.00
16. Pfeiffer 218132/AC; et al*	49,375.00
17. Prerau 221015/WM	26,750.00
18. Schmid 204073/MW	49,375.00
19. Sieger 221748/AX	26,750.00
20. Simon 217497/LV; et al*	26,750.00
21. Steiner, Ernest 004653/AX; et al*	20,750.00
22. Weinberger 601252/LV; 736900/LV	80,250.00
23. Wolf 707442/CC/ES; 750079/CC/ES	26,750.00
Total Award Amount in Swiss Francs	1,519,500.00
Total Award Amount in U.S. Dollars²	1,177,906.98

* MPM Award

² Exchange rate as of 11 July 2005 of 1.29 Swiss Francs per U.S. Dollar.

CLAIMS RESOLUTION TRIBUNAL

[Batch LXXVIII] -Annex B - UNREDACTED
CONFIDENTIAL

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of July 11, 2005 the following Award Denials for approval by the Court:

1. Berliner 213551/MG	Identification Denial
2. Blei 202489/MG	Identification Denial
3. Bloch 002659/MG; et al	Identification Denial
4. Brunner 224269/UM	Entitlement Denial
5. Dobrin 212061/AH	Identification Denial
6. Dressel 213215/MG	Identification Denial
7. Fischer 205909/MBC; 600922/MBC	Identification Denial
8. Fischer-Tanner 215257/MG	Identification Denial
9. Grünberg 222335/MG	Identification Denial
10. Heinrich 215502/SB	Identification Denial
11. Hirsch 211128/MG; 702801/MG	Identification Denial
12. Katz 201829/MBC	Identification Denial
13. Katz 210694/MG	Identification Denial
14. Kuttner 207546/SB	Identification Denial
15. Marcovici 204609/SB	Identification Denial
16. Markus 208344/MG	Identification Denial
17. Rosenthal 208526/MG	Identification Denial
18. Rosenthal 224065/AH; 203692/MBC	Identification Denial
19. Schotten 210171/MW; 701561/MW	Disposition Denial
20. Schwarcz 222385/MG	Identification Denial
21. Schwarzmann 211369/SB	Identification Denial
22. Simon 208835/MG	Identification Denial
23. Stein 210374/MBC	Identification Denial
24. Weil 205401/MG	Identification Denial